

**MINUTES OF
THE WEST VIRGINIA PUBLIC EMPLOYEES GRIEVANCE BOARD
MEETING ON July 2, 2007**

Location: Charleston W. Va. Offices of the Board

Members Present: Bob Brown, Melissa Lampinen, and Dr. Charles Polk (by telephone)

Present Also: Secretary Robert Ferguson, Secty of Administration and ex-officio member by appointment of the Governor, Earl W. Maxwell, Chriceous (Cricket) Powell, Iona Sue Keller, Janis Reynolds, Denise Spatafore, Salia Warren, Gordon Simmons, Jack Ferrell, Shabnaum Amjad, Harriett Fitzgerald, Lisa Moten, Cindy Smith, Elaine Harris.

The Board Convened at 10:30 am in the conference room, Dr. Polk appearing by telephone, and proceeded with the selection of officers. Bob Brown was elected Chair, and Melissa Lampinen was elected Secretary/Treasurer of the Board. The roll being taken by the Chair and finding a quorum of the Board, being a majority of 3 of 5 present for the conduct of business then opened the meeting.

The Chair made comments, and acknowledged those present including many such as himself who were directly involved with the formation of the new Board and the revision of the procedures. After comments the Board took up matters remaining from the old Board.

The P-Card Statement for May and June was reviewed with explanation by the Director and Ms. Smith of the Governor's office who is the P-card Coordinator. After discussion and explanation the p-card reconciliations were approved. The Chair directed that in the future he would prefer that the Board members be sent the reconciliation sheets to review in advance of the meeting.

The Board then reviewed and read the minutes of the last meeting of the Old Board on June 18th 2007 and ratified and approved the same. The Board determined that the minutes of the old Board will be reviewed again at the next meeting when the entire new board is present.

The next item on the agenda, a review of the new procedure and statutes along with the executive order was tabled until the next meeting, when it is hoped the remaining two members would be present. The Board requested that a full review be prepared for that meeting. The Board did have a summary review for the Board members present and received literature relating to the new process and a copy of the new code and executive order.

The Board then reviewed the status of pending cases, and assignments of cases. The Board was advised that there was a significant number of held over cases already pending at level 4 which have not yet been assigned. The three remaining law judges have focused on addressing the cases involving termination and suspension as priorities. At present there are approximately 140 cases pending assignment to a law judge. The Board discussed the situation and appearance

that action needed to be taken to hire judges to assign the cases too as expediently as possible. At the same time it was determined that the appointment of judges was a critical issue that needed to proceed with care. The Board decided to discuss this issue further under the personnel portion of the agenda.

The Board received a review and report on the physical facilities of the Board (three offices) and a report on the 2008 fiscal budget.

The Board then reviewed the current forms being used in the grievance process, which had been approved for temporary use by the prior Board. The Board approved the continued use of the forms pending a more thorough review by the full Board.

After a short break to improve the telephone connection with Dr. Polk, the Board convened in Executive Session to discuss Personnel Matters. Executive session was from 12:30 until ~~2~~45 with a break during the session for lunch.

The Board emerged from executive session, having taken no action during the session, and then it was moved by Board Secretary Lampinen as follows:

That the Board appoint the Director, staff and all of the remaining 3 administrative law judges who were employed by the WV Education and State Employees Grievance Board on June 30, 2007 - to the newly created Public Employees Grievance Board in the same current positions, titles and status effective July 1, 2007.

The motion was seconded and carried unanimously by the Board.

The Board then reviewed the Budget Expenditure Schedule for Fiscal Year 2008 with Cindy Smith of the Governor's Office and approved the same. The Board was also briefed on the process for transferring funds within the Department of Administration.

The Board was then advised of the circumstances concerning the fixed inventory of the Agency. The Current Fixed inventory as reflected in the FIMS system is inaccurate and cannot in the opinion of the Director be certified. The Board reviewed with the Director a plan for reinventorying the office, and to correct the fixed inventory. The Board discussed the same issues with the Secretary of Administration. The Board directed the Director to formalize the plan in writing and submit the matter and request for assistance to the Secretary of Administration.

The Board then approved and signed an agreement with the Governor's Office of Administration to perform accounting functions for the Board.

The Board then assigned signature Authority to Cindy Smith and The Director, Earl W. Maxwell, for the purposes of managing and effecting the efficient operations of the Board with regard to purchasing, contracting and accounting.

After General discussion by the Board members expressing satisfaction with the progress made at this first meeting, the floor was opened to those present. Elaine Harris of the Communication Workers, spoke of the need to remember that the most important people in the grievance process is the grievant. She further looked forward to working with the Board members as the process is developed.

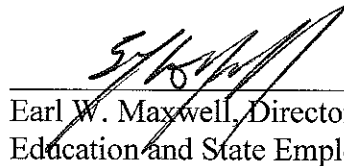
The Board then set a meeting for July 17th at 10:00 am focused on rules, mission and personnel issues, and a second meeting to follow up on the same matters on August 7, 2007, at 10:00 am both at the main office in Charleston. The Board members discussed that the meetings in the future should be held in various areas of the State to allow more participation. But given the urgency of getting the process up and going as soon as possible it was decided that the next meeting should be in Charleston.

The Board meeting was then adjourned.

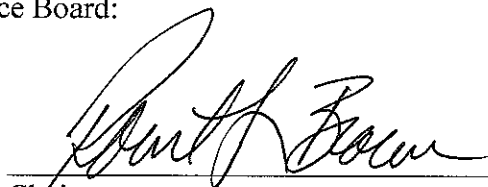
Respectfully Submitted by:


Melissa A. Lampinen, Secretary/Treasure - Member

Prepared by:


Earl W. Maxwell, Director
Education and State Employees Grievance Board

Approved by the Public Employees Grievance Board:


Chair

Dated: 7/17/07